

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Dkt No. 07 CV 5763 (JSR)

GARY LA BARBERA, THOMAS GESUALDI,  
LAWRENCE KUDLA, LOUIS BISIGNANO,  
ANTHONY PIROZZI, FRANK FINKEL,  
JOSEPH FERRARA, SR., LYNN MOUREY,  
MARC HERBST, and THOMAS PIALI,  
as Trustees and Fiduciaries of the Local 282  
Pension Fund Trust,

Plaintiffs,

- against -

JUDA CONSTRUCTION, LTD.;  
FULLERTON LAND DEVELOPMENT, LTD.,  
a/k/a FULLERTON AVENUE LAND

DEVELOPMENT, LTD.; CTJ CONSTRUCTION,  
LTD.; CHATHAM CONSTRUCTION, LTD.;

TORRETTA TRUCKING INC.;  
FINESSE CONSTRUCTION, LLC;  
INNOVATIVE DISPOSAL SYSTEMS LLC;

PURE EARTH, INC.; PURE EARTH  
TRANSPORTATION AND DISPOSAL  
SYSTEMS, INC., a/k/a AMERICAN

TRANSPORTATION AND DISPOSAL  
SYSTEMS, LTD.; PURE EARTH MATERIALS,  
INC., a/k/a SOUTH JERSEY DEVELOPMENT,  
INC.; THOMAS ATTONITO; NICHOLAS

PANICCIA; and CHRISTOPHER UZZI,  
Defendants.

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Defendants Fullerton Land Development, LTD., a/k/a Fullerton Avenue Land Development,  
LTD., CTJ Construction, LTD, Chatham Construction, LTD, Torretta Trucking, Inc., Thomas  
Attonito, Nicholas Paniccia and Christopher Uzzi (collectively, the "Chatham defendants") by and

through their counsel, Trivella, Forte & Smith, LLP, hereby answer the Cross-Claim asserted by

Defendants Finesse Construction LLC and Innovative Disposal Systems LLC as follows:

1. Deny the allegations set forth in the Cross-Claim of defendants Finesse Construction LLC and Innovative Disposals Systems in their Answer and Cross-Claim filed

September 21, 2007, at page 45.

WHEREFORE, the Fullerton Land Development, LTD., a/k/a Fullerton Avenue

Land Development, LTD., CTJ Construction, LTD, Chatham Construction, LTD, Torretta Trucking, Inc., Thomas Attonito, Nicholas Paniccia and Christopher Uzzi defendants

demand judgment be granted as follows:

- A. Dismissing the Cross-Claim of defendants Finesse Construction LLC and Innovative Disposal Systems LLC with prejudice and without costs or attorneys' fees.

- B. Granting the Chatham defendants attorneys' fees, costs and disbursements to the extent provided by contract, statute or otherwise; and

- C. Together with such other, further and different relief as the Court deems just and proper.

DATED: White Plains, New York  
September 20, 2007

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